



## CITY OF SAN JOSÉ, CALIFORNIA

### ENVIRONMENTAL SERVICES DEPARTMENT

777 NORTH FIRST STREET, SUITE 450  
 SAN JOSE, CALIFORNIA 95112-8311  
 TELEPHONE (408) 277-5533  
 FAX (408) 277-3806

July 1, 1998

Cindy Darling  
 CALFED Bay-Delta Program  
 1416 Ninth Street, Suite 1155  
 Sacramento, CA 95814

Dear Ms. Darling:

I am pleased to submit the City of San Jose's Inquiry Proposal to develop a Cold Water Fisheries and Water Quality element for the State of the Santa Clara Basin Report in response to your Request for Proposals. This proposal is submitted in cooperation with the Core Group members of the Santa Clara Basin Watershed Management Initiative.

The Santa Clara Basin Watershed, including the portion of the South San Francisco Bay to which the watershed drains, is large, unique and complex. The San Francisco Regional Water Quality Control Board has acknowledged the significance of the Santa Clara Basin Watershed by selecting it for the Region's urban watershed pilot study.

Since the summer of 1996, the Regional Board initiated the Santa Clara Basin Watershed Management Initiative (Watershed Initiative). The local agencies, environmental and community organizations embraced this opportunity to take local stewardship of the watershed and have committed to develop a watershed management plan for the South San Francisco Bay and Santa Clara Basin that integrates the following issues: watershed protection and enhancement, habitat and water quality enhancement, water rights and water supply reliability, flood control, regulatory compliance, land use and public awareness and involvement. An initial framework for the plan has been developed. The stakeholders committed to this process include local and state agencies, environmental and public interest groups and business and industry trade groups.

The Initiative is requesting funding for components of the planning process that relate directly to CALFED objectives. Specifically, we propose to conduct monitoring and assessment work that will provide data to help the Initiative develop the Cold Water Fisheries and Water Quality elements of the Watershed Report. These elements will contain both assessment data and management alternatives to help establish restoration priorities in the Watershed Plan. Coordination with other restoration programs and stakeholder education and outreach will be important components of this project. CALFED support will help ensure timely development of these important tools needed for development of our Watershed Management Plan.

I hope that you will look favorably upon our proposal. If you have any questions, please contact me or Mary Ellen Dick at 408-945-3070.

CARL W. MOSHER  
 Director  
 Environmental Services Department





June 30, 1998

Cindy Darling  
Restoration Coordinator  
CALFED Bay-Delta Program  
1416 Ninth Street, Suite 1155  
Sacramento, California 95814

Re: Funding for Santa Clara Basin Watershed Management Initiative (WMI)  
Stewardship Program

Dear Ms. Darling,

As Environmental Advocate for the Santa Clara Valley Audubon Society—an organization with nearly 4000 members in Santa Clara County—I have represented the environmental community as one of the Core Group stakeholders for the WMI for the last two years. I have seen the WMI move from planning how to plan to on the ground monitoring efforts, report preparation, and active work in the field. I believe CALFED funding for this effort would greatly enhance the group's ability to achieve their ambitious goals. In addition, such funding would represent a strong commitment from CALFED to the South Bay, reciprocating our region's demonstrated commitment to the preservation and restoration of the Bay-Delta ecosystem.

The WMI and its Core Group are tackling some of the toughest environmental issues in the Bay. We are faced with twin obstacles of significant proportion: the unique hydrologic circumstances of the South Bay and the booming growth of our region. Amidst these constraints we are attempting to maintain and even enhance some of the excellent resources we still have left: wetlands, creeks, open water habitat, and all the fisheries, endangered species and other wildlife that those areas support.

It must be recognized that the South Bay and our fragile ecology are an important component of the larger Bay-Delta and deserve greater attention from CALFED than we have had in the past. We should be part of CALFED solution area, as well as its problem area. Ecologically, there are several reasons for this. For example, if restoration of the California Clapper Rail to its historic range in the North Bay and Suisun Marsh is to occur, we will have to look to the South Bay to generate the new populations, as the vast majority of the 6-800 remaining rails exist

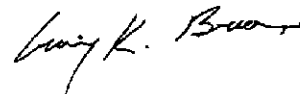
here. Waterfowl, migratory avian species, and certain fisheries all traverse the relatively short distances between the Delta proper and the South Bay.

The WMI can bring many of the common issues of these regions into a single forum for discussion. While such processes can be slow, they are often more comprehensive in their approach and scope than other, single issue discussions. As such, they are already achieving some of the stated philosophy of CALFED--comprehensive planning involving a wide range of participants, grounded in sound science.

CALFED funding for this effort would be a strong vote of confidence in the type of planning CALFED represents on a larger scale. Our region is innovative in a number of the areas of concern to the larger Bay-Delta ecosystem: non-point source pollution control, water conservation and recycling, citizen monitoring, and collaborative planning. The WMI represents a forum that may serve as a model for other planning areas. The group deserves both the recognition and the support of CALFED.

Thank you for your consideration of this and other funding proposals for the South Bay. If you have questions or comments about the WMI and its work, I can be reached at (408) 252-3748.

Sincerely,



Craig K. Breon  
Environmental Advocate

## COVER SHEET (PAGE 1 of 2)

## May 1998 CALFED ECOSYSTEM RESTORATION PROPOSAL SOLICITATION

Cold Water Fisheries and Water Quality Element for the

Proposal Title: State of the Santa Clara Basin Report.Applicant Name: City of San Jose - Environmental Services DepartmentMailing Address: 777 N. First Street, Suite 450, San Jose, CA 95112Telephone: 408-277-5533Fax: 408-277-3606Amount of funding requested: \$ 300,950 for 2 years

Indicate the Topic for which you are applying (check only one box). Note that this is an important decision: see page    of the Proposal Solicitation Package for more information.

- |   |   |
|---|---|
| <input type="checkbox"/> Fish Passage Assessment  | <input type="checkbox"/> Fish Passage Improvements    |
| <input type="checkbox"/> Floodplain and Habitat Restoration                               | <input type="checkbox"/> Gravel Restoration           |
| <input type="checkbox"/> Fish Harvest   | <input type="checkbox"/> Species Life History Studies |
| <input checked="" type="checkbox"/> Watershed Planning/Implementation                     | <input type="checkbox"/> Education                    |
| <input type="checkbox"/> Fish Screen Evaluations - Alternatives and Biological Priorities |   |

Indicate the geographic area of your proposal (check only one box):

- |   |   |
|---|---|
| <input type="checkbox"/> Sacramento River Mainstem              | <input type="checkbox"/> Sacramento Tributary: <u>                    </u>      |
| <input type="checkbox"/> Delta                                  | <input type="checkbox"/> East Side Delta Tributary: <u>                    </u> |
| <input type="checkbox"/> Suisun Marsh and Bay                   | <input type="checkbox"/> San Joaquin Tributary: <u>                    </u>     |
| <input type="checkbox"/> San Joaquin River Mainstem             | <input checked="" type="checkbox"/> Other: <u>South Bay</u>                     |
| <input type="checkbox"/> Landscape (entire Bay-Delta watershed) | <input type="checkbox"/> North Bay: <u>                    </u>                 |

Indicate the primary species which the proposal addresses (check no more than two boxes):

- |  |   |
|--|---|
| <input type="checkbox"/> San Joaquin and East-side Delta tributaries fall-run chinook salmon |   |
| <input type="checkbox"/> Winter-run chinook salmon   | <input type="checkbox"/> Spring-run chinook salmon          |
| <input type="checkbox"/> Late-fall run chinook salmon  | <input checked="" type="checkbox"/> Fall-run chinook salmon |
| <input type="checkbox"/> Delta smelt   | <input type="checkbox"/> Longfin smelt                      |
| <input type="checkbox"/> Splittail   | <input checked="" type="checkbox"/> Steelhead trout         |
| <input type="checkbox"/> Green sturgeon  | <input type="checkbox"/> Striped bass                       |
| <input type="checkbox"/> Migratory birds   |   |

COVER SHEET (PAGE 2 of 2)

May 1998 CALFED ECOSYSTEM RESTORATION PROPOSAL SOLICITATION

Indicate the type of applicant (check only one box):

- |   |   |
|---|---|
| <input type="checkbox"/> State agency                         | <input type="checkbox"/> Federal agency |
| <input type="checkbox"/> Public/Non-profit joint venture      | <input type="checkbox"/> Non-profit     |
| <input checked="" type="checkbox"/> Local government/district | <input type="checkbox"/> Private party  |
| <input type="checkbox"/> University                           | <input type="checkbox"/> Other: _____   |

Indicate the type of project (check only one box):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Planning | <input type="checkbox"/> Implementation |
| <input type="checkbox"/> Monitoring          | <input type="checkbox"/> Education      |
| <input type="checkbox"/> Research            |   |

By signing below, the applicant declares the following:

- (1) the truthfulness of all representations in their proposal;
- (2) the individual signing the form is entitled to submit the application on behalf of the applicant (if applicant is an entity or organization); and
- (3) the person submitting the application has read and understood the conflict of interest and confidentiality discussion in the PSP (Section II.K) and waives any and all rights to privacy and confidentiality of the proposal on behalf of the applicant, to the extent as provided in the Section.



(Signature of Applicant)

## COVER SHEET (PAGE 1 of 2)

## May 1998 CALFED ECOSYSTEM RESTORATION PROPOSAL SOLICITATION

Proposal Title: Cold Water Fisheries and Water Quality Element for the State of the Santa Clara Basin Report.

Applicant Name: City of San Jose - Environmental Services Department

Mailing Address: 777 N. First Street, Suite 450, San Jose, CA 95112

Telephone: 408-277-5533

Fax: 408-277-3606

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| <input type="checkbox"/> Migratory birds   |   |

## **CALFED ECOSYSTEM RESTORATION PROJECTS AND PROGRAMS PROPOSAL**

### **Executive Summary**

#### **II.a. Project Title and Applicant Name**

**Title: Cold Water Fisheries and Water Quality element for the State of the Santa Clara Basin Report**

**Applicant: City of San Jose - Environmental Services Department in Cooperation with the Santa Clara Basin Watershed Management Initiative**

**Primary Contact: Mary Tucker 408-277-5533 408-277-3606 (fax)**

**Erika Lovejoy, Santa Clara Basin Watershed Management Initiative 408-945-3024 408-934-0476**

#### **II.b. Project Description and Primary Biological and Ecological Objectives**

In the summer of 1996, the Regional Board initiated the Santa Clara Basin Watershed Management Initiative (Initiative). Initiative stakeholders, including local agencies, environmental and community organizations, have committed to conducting a Watershed Assessment (Assessment), preparing a State of the Watershed Report (Watershed Report), and to creating and implementing a Watershed Management Plan (Watershed Plan) for the Santa Clara Valley Basin.

The Initiative is requesting funding for components of the Watershed Plan that relate directly to CALFED program objectives. Assessment and monitoring work is proposed to furnish data for the production of the Cold Water Fisheries and Water Quality elements of the Watershed Report. These elements will be used to establish restoration priorities for the Watershed Plan.

The primary biological and ecological objectives of this work are to protect and/or restore streams, reservoirs, wetlands and the South Bay for the benefit of fish, wildlife and the community. Specific monitoring and restoration objectives will be formulated by the Initiative stakeholders. Restoration and protection priority areas will be identified during the planning process.

#### **II.c. Approach/Tasks/Schedule**

The Initiative's watershed management approach is stakeholder driven. Its elements include:

- developing a Watershed Assessment Report based on existing data (now - 12/99)
- initiating a field sampling and monitoring program to fill data gaps (3/99),
- developing a State of the Watershed Report, including management alternatives (9/99-9/00),
- preparing a Watershed Management Plan (6/00-9/01),
- implementing the Watershed Management Plan (6/00- ongoing),
- conducting periodic reviews and updates of the Assessment and Plan, and
- continuous stakeholder outreach and education.

Funding is being requested from CALFED to: identify data gaps after an assessment of existing data, develop a sampling plan, initiate a field sampling/monitoring program to fill data gaps, develop the Cold Water Fisheries and Water Quality elements of the Watershed Report, and conduct stakeholder education and outreach.

**II.d. Justification for Project Funding by CALFED**

The Santa Clara Valley Basin is a critical part of the San Francisco Bay-Delta system and CALFED solution area. Several CALFED priority species (including Steelhead Trout and Fall Run Chinook Salmon) occur within the Santa Clara Basin Watershed (see Attachment A). Opportunities exist to re-establish populations of these species that previously inhabited the area. Prompted by legal actions, a collaborative effort has developed between the Initiative and the Fish and Aquatic Habitat Collective Effort (FAHCE) to improve instream habitats and resolve conflicts over land use and flood control issues. FAHCE members, including the Santa Clara Valley Water District, Department of Fish & Game, federal agencies, local government, and environmental groups are collecting data that will provide a solid base for the Cold Water Fisheries component of the Assessment.

As importers, reusers, and ultimately, dischargers of Delta water, watershed residents are concerned about the quality and quantity of local fresh water supplies. The desire to maintain a reliable and clean water supply for the basin's residents and aquatic environment has vested us as stakeholders in the CALFED process. Through the Initiative, watershed residents can directly help the CALFED program realize its ecosystem restoration objectives for the Bay-Delta system.

**II.e. Budget Costs and Third Party Impacts**

Local agencies have been the Initiative's primary funding sources. Expenditures thus far have amounted to about \$500,000, not including in-kind services. The Initiative is requesting \$301,000 from CALFED.

The Initiative's comprehensive stakeholder involvement process will serve to identify and avoid potential third party impacts which could arise during this process.

**II.f. Applicant Qualifications**

The City of San Jose - Environmental Services Department, is well known for its environmental programs and is well qualified to coordinate the preparation of this assessment.

**II.g. Monitoring and Data Evaluation**

Upon completion of the Assessment, stakeholder group members assisted by a Technical Advisory Committee (TAC) will review its findings. If necessary, the group will recommend studies to fill data gaps. Monitoring and data evaluation procedures will be refined by the TAC in accordance with the guidelines of the Initiative's draft Data Management Plan. The Initiative will coordinate with other monitoring programs to ensure compatibility in data collection techniques for long-term data sharing, where appropriate.

**II.h. Local Support/Coordination With Other Programs/Compatibility With CALFED Objectives**

The goals and procedures of the Initiative are fully compatible with the CALFED Ecosystem Restoration Program's objectives.



**May 1998 CALFED ECOSYSTEM RESTORATION PROPOSAL SOLICITATION**

**Title:** Cold Water Fisheries and Water Quality element for the State of the Santa Clara Basin Report

**Applicant:** City of San Jose - Environmental Services Department in Cooperation with the Santa Clara Basin Watershed Management Initiative (WMI)

**Address/  
phone/fax/  
email:** Primary Contact: Mary Tucker  
Environmental Services Department  
777 North First Street, Suite 450, San Jose, CA 95112-6311  
408-277-5533 fax 408-277-3606

WMI Program Manager: Erika Lovejoy 408-945-3024

**Type of  
Organization  
and Tax**

**Status:** City of San Jose - Environmental Services Department is a local government agency. The WMI is a collaborative effort made up of many agencies and organizations.

**Tax ID:** 96-600419

**Participants  
and**

**Collaborators:** The City of San Jose and the WMI (California Restaurant Association, City of Palo Alto, City of San Jose, City of Sunnyvale, CLEAN South Bay, County of Santa Clara, Coyote Creek Riparian Station, Dairy Belle Freeze, Inc., Department of Fish and Game, Guadalupe-Coyote Resource Control District, Home Builders Association of Northern California, Intel, League of Women Voters, Regional Water Quality Control Board, San Jose Metropolitan Chamber of Commerce, San Francisco Estuary Institute, San Mateo County Environmental Health, Santa Clara Cattleman's Association, Santa Clara County Farm Bureau, Santa Clara County Urban Runoff Pollution Prevention Program, Santa Clara Valley Audubon Society, Santa Clara Valley Manufacturers Group, Santa Clara Valley Water District, Silicon Valley Toxics Coalition, USDA Natural Resources Conservation Service, US Geological Survey, US EPA, Valley Transportation Authority, Water Reuse Association of California, West Valley Clean Water Program)

#### IV. Project description

##### a. Project Description and Approach

The Lower South San Francisco Bay has been designated as an impaired waterbody under section 303(d) of the Clean Water Act. Concentrations of certain toxic pollutants exceed water quality criteria in this poorly flushed portion of the bay, and aquatic and riparian habitats are in various states of degradation. These issues necessitate the development of an approach that allows for targeting priority problems, incorporating stakeholder interests, and shifting resources among watershed issues as they are either resolved or identified as priorities.

In the summer of 1996, the Regional Board initiated the Santa Clara Basin Watershed Management Initiative (Initiative) as a pilot project for the State's Watershed Management Initiative. Local government agencies, environmental and community organizations embraced this opportunity to take local stewardship of the watershed and have committed to develop a Watershed Management Plan (Watershed Plan) for the South San Francisco Bay and Santa Clara Basin. Six major goals were adopted by Initiative participants (Attachment C). Those goals address a wide spectrum of issues, including water quality and habitat protection and enhancement, water rights and water supply reliability, flood control, and stakeholder involvement.

The Initiative is being led by a group of representatives from over 20 different agencies and organizations (Attachment B), entitled the Core Group, who have taken on the role of guiding this effort. Subgroups (Attachment D) have been created to address specific issue areas for inclusion in the Watershed Plan.

The proposed project is the development of a Watershed Assessment Report (Assessment), State of the Watershed Report (Watershed Report) and a Comprehensive Watershed Management Plan (Watershed Plan). The Initiative is requesting funding for components of the project that relate directly to CALFED objectives. Specifically, it is proposed that monitoring and assessment work be conducted that will provide data to develop the Cold Water Fisheries and Water Quality elements of the Watershed Report. These elements will include both assessment data and management alternatives to help establish restoration priorities for the Watershed Plan. Coordination with other programs and stakeholder education and outreach will be important components of this project.

The Initiative has acquired funding for, and has already begun work on an assessment of the Santa Clara Basin. A basin-wide assessment of the condition of the Santa Clara Basin watershed does not currently exist, although a great deal of information in different formats exists in local agencies, organizations and industries. The Assessment will enable the prioritization of protective and/or restorative measures in the watershed. The information collected will be compiled for the Assessment Report, consisting of a description of the jurisdictional responsibilities and biophysical conditions in the watershed. This report will be used as a tool by stakeholders to establish restoration and remediation priorities within the watershed. Data gaps will be identified during the development of the Assessment and a field sampling program will be initiated to fill the gaps. The Assessment report will be followed by the Watershed Report, which will provide a more detailed analysis based on newly collected data and will recommend alternatives to address

priority problems and meet Initiative goals (Attachment C). Along with sections for the other issue areas included in our goals, a Cold Water Fisheries and Water Quality element will be included in each of the reports. A Watershed Plan will then be developed, outlining the actions stakeholders agree to take to meet our program goals. Active stakeholder involvement will be emphasized throughout the entire process to help ensure implementation of the Watershed Plan.

CALFED Funding is being requested to fulfill specific components of the planning process. The following list shows the major tasks proposed. The components for which CALFED funding is being requested are highlighted.

**Planning Process Components:**

- Ensure stakeholder involvement and education throughout the life of the process;
- Prepare an initial inventory of watershed characteristics from existing data(10/98)
- Prepare a Watershed Assessment Report (12/99)
- Identify and address crucial data gaps and initiate a field sampling program (3/99)
- Develop and implement a data management system (11/98)
- Develop a Quality Management Plan and Program (10/98)
- Prepare a State of the Watershed Report (9/00) (funding requested for Water Quality and Cold Water Fisheries elements)
- Prepare a Watershed Management Plan that includes an implementation schedule to meet watershed goals (6/00-9/01)
- Implement the Watershed Management Plan (6/00- ongoing),
- Conduct periodic reviews and updates of the Assessment and Plan

**IV. b. Proposed Scope of Work.**

Drawing from the task list in section III.a., the projects tasks, schedule, deliverables and budget for which funding is being requested are listed below.

**Task I. Ensure Stakeholder Involvement And Education Throughout The Life Of The Process**

**Subtask A. Administrative Support/Outreach for Core Group and Subgroups**

The Program Manager and Report Preparation Team will develop and distribute meeting agendas, materials, summaries, progress reports, informational memos, decision memoranda, provide oversight of technical consultants and facilitators, and direct communication with stakeholders.

**Schedule:** Meeting Organization and distribution of materials Ongoing  
Preparation of quarterly/final reports Quarterly/yearly

**Deliverables:** Organize meetings, meeting agendas and minutes, progress reports, stakeholder participation.

**Estimated Budget:** \$115,950 CALFED Funding Request: \$75,950

**Task II. Identify And Address Crucial Data Gaps And Initiate A Field Sampling Program**

**Subtask A. Identify data gaps from the Assessment of existing data**

After a list of existing data is compiled for the Assessment, data gaps will be identified for the Cold Water Fisheries and Water Quality elements of the Watershed Report. Field sampling activities will be approved by the Core Group. A consultant will be retained to conduct this work.

**Schedule:** Identify data gaps 3/99-4/99

Develop recommended sampling program 4/99-5/99  
Present recommendation to Core Group 5/99-6/99

*Deliverables:* Recommended field sampling activities, Core Group approved field sampling activities.

*Estimated Budget:* \$15,000      *CALFED Funding Request:* \$15,000

**Subtask B. Developing a Field Sampling Plan**

Once field sampling activities are approved by the Core Group, a field sampling plan will be developed. The plan will be reviewed by a Technical Advisory Committee (TAC). The final plan will be presented to the Core Group for approval.

*Schedule:*      Develop field sampling plan 7/99  
                 TAC Review 8/99  
                 Core Group Review 9/99

*Deliverables:* Field Sampling Plan, TAC review, Core Group Review

*Estimated Budget:* \$10,000      *CALFED Funding Request:* \$10,000

**Subtask C. Initiate a field sampling program to fill data gaps**

The field sampling program will be initiated after the sampling plan is approved.

*Schedule:*      Develop contracts 5/99-9/99  
                 Conduct Sampling 9/99-8/00

*Deliverables:* Data Collection

*Estimated Budget:* \$100,000      *CALFED Funding Request:* \$75,000

**Task III. Develop Cold Water Fisheries and Water Quality Elements of the Watershed Report.**

Utilizing the existing data and newly collected data from the Assessment, analyze fisheries and water quality issues. Develop management alternatives to address issues in each of these areas. Stakeholder input will be sought out throughout the entire task.

**Subtask A. Plan the Report**

The Report Preparation Team will prepare a workplan and outline for the Watershed Report. A communications plan will be developed to get stakeholder input/review for major steps of the report development.

*Schedule:*      Prepare Workplan 7/99-9/99  
                 Prepare Outline 8/99-9/99  
                 Prepare Communications Plan 7/99-9/99

*Deliverables:* Workplan, Report Outline and Communications Plan

*Estimated Budget:* \$22,000      *CALFED Funding Request:* \$10,000

**Subtask B. Compile Data and Develop Alternatives**

A consultant will compile existing data from the Assessment along with data collected from the field sampling program and conduct an analysis of fisheries and water quality. The consultant will develop restoration/remediation priorities and management options for inclusion in the report.

*Schedule:*      Compile Data and Develop Alternatives 8/99-7/00

*Deliverables:* Draft Cold Water Fisheries and Water Quality Elements of the Watershed Report

*Estimated Budget:* \$95,000      *CALFED Funding Request:* \$75,000

**Subtask C. Report Production**

The Draft Cold Water Fisheries and Water Quality Elements of the Watershed Report will be edited and finalized for inclusion into the Watershed Report.

*Schedule:*      Finalize and Print Report 7/00-9/00

*Deliverables:* Final Cold Water Fisheries and Water Quality Elements of the Watershed Report  
*Estimated Budget:* \$10,000      *CALFED Funding Request:* \$10,000

**Subtask D. Conduct Stakeholder Education and Outreach for the Watershed Report**  
Stakeholders will be educated about the technical aspects of the Watershed Report to allow for their maximum participation in its development. Outreach will be conducted to educate the general public and policy makers on the Initiative.

*Schedule:* Education and Outreach Activities      7/99-11/00

*Deliverables:* Workshops, Public Education Materials, Press Releases

*Estimated Budget:* \$40,000      *CALFED Funding Request:* \$30,000

#### **IV. c. Location and/or geographic boundaries of the project.**

The Initiative includes all Santa Clara County Waterways, south of the Dumbarton bridge, including the South San Francisco Bay. A small segment of Alameda and San Mateo Counties are included in the basin as well. (Map, Attachment E)

#### **IV. d. Expected Benefits.**

##### ***Benefits to CALFED Priority Habitats and Species***

Two CALFED priority habitats, instream aquatic habitat and shaded riverine aquatic habitat, exist on the perennial streams of the Watershed. Small areas of saline emergent wetlands, the habitat of the endangered salt marsh harvest mouse and clapper rail, are present at the mouths of the Guadalupe River and Coyote Creek. Two tier 1 priority species- steelhead trout and fall run chinook salmon, use the instream and shaded riverine aquatic habitats of the upper watershed for spawning and rearing purposes. Habitat for longfin smelt, splittail, and migratory birds exists in the lower stream reaches and tidelands of the South Bay's major creeks.

##### ***Stressors***

Disturbances related to urban development are the primary stressors in the watershed. They include:

- Alteration of flows and other effects of water management, including
  - alteration of hydrograph/flows
  - migration barriers and straying/stranding of fish
- Floodplain changes
  - hydrological isolation of floodplains
  - physical isolation of floodplains
- Channel form changes
  - extensive alteration of channel form
  - prevention of channel meander
  - isolation and elimination of sidechannels and tributaries
- reduction of gravel recruitment
- channel aggradation due to fine sediments
- loss of existing riparian zone and lack of regeneration potential
- increased contaminants
- increased nutrient input
- Increased water temperature

A goal of the Initiative is to strike a balance between water supply management, flood management, habitat protection and land use practices to improve water quality for instream uses. In addition to the results of the watershed assessment, stakeholders will consider the findings of pending studies on the use of recycled water for stream flow augmentation and the removal of fish barriers. This information will enable the stakeholders to identify and recommend actions that will eliminate or reduce the impacts of stressors in the areas of primary environmental importance.

***Other Benefits to the Watershed and CALFED Solution Area***

CALFED support of the watershed planning process will enable basin-wide restoration and protection priorities to be set. Additionally, periodic evaluation and updates of the Plan will help provide information on which protection efforts are the most effective, which can be utilized by other efforts as well. The Initiative will thus have a road map from which to coordinate and focus concurrent environmental protection efforts, including:

- water reuse for environmental and other beneficial uses,
- improvement of water use efficiency, and
- removal of barriers to anadromous fish migration.

Another valuable, if unmeasurable, benefit of the watershed management program is that it creates future opportunities for over 1.6 million consumers of Bay-Delta water to experience and understand the importance of fresh water flows to a diverse and healthy natural environment. Awareness of the environmental benefits of water reuse and conservation will improve the public's understanding of the issues facing the Bay-Delta ecosystem.

**IV. e. Background and Ecological/Biological/Technical Justification.**

The watershed management plan seeks to protect and/or restore streams, reservoirs, wetlands and the South Bay for the benefit of fish, wildlife and community uses. Specific monitoring and restoration objectives will be formulated collaboratively by the Initiative stakeholders and Technical Advisory Committee on the basis of the findings of the Assessment and concurrent studies. Restoration and protection priority areas will be identified by the Initiative stakeholder group during the planning process and described in the Watershed Report. The CALFED Ecosystem Restoration Protection Plan (ERPP) and other relevant studies will be reviewed during this process. Potential watershed management objectives will be described in a State of the Watershed Report and deliberated by stakeholders. Final objectives will be selected and become the basis for the implementation priorities recommended in the Watershed Plan.

The durability of these benefits will largely depend on the successful completion of the planning process. Stakeholders with diverse interests have shown their commitment to making this process work through providing resources and political support to the Initiative. CALFED support will facilitate timely development of recommendations needed to address fisheries and water quality issues.

***Project Status***

The process has been underway since June 1996, after initiation by the Regional Board. It is intended to be an ongoing process, with mechanisms for regular reviews and updates of both the SOWR and the Watershed Plan. The following progress has been made since the program's

initiation:

- Established a strong stakeholder base
- Established a program structure, consisting of a Core Group, issue-specific subgroups, Report Preparation Team, and Program Manager
- Developed a decision-making process, mission statement, and stakeholder approved program goals
- Prepared a process to conduct the Initiative work (the Assessment through implementation of the Watershed Plan)
- Developed a "Signatory Document" outlining stakeholder commitment to the process
- Obtained EPA 319 funding for an early implementation project (riparian restoration)
- Created a forum to resolve short-term issues within the watershed
- Developed alliances with existing programs for coordination and data sharing
- Acquired formal financial and political support from key local agencies
- Developed a detailed workplan for the Assessment and Watershed Report
- Obtained funding for and hired a consulting firm to help conduct the Assessment

**Expenditures to date:** A significant amount of in-kind services, as well as agency funding has been provided by Initiative stakeholders to fund the process. It is estimated that the contributions to date are around \$500,000, not including in-kind services provided by the cities of San Jose, Palo Alto, Sunnyvale, the Santa Clara Valley Water District, and other stakeholders.

**Interactions with Other Programs:** The diversity of interest groups participating in the Initiative allows for coordination with many different programs. Active coordination exists with the FAHCE project, the Santa Clara Valley Urban Runoff Pollution Prevention Program, and other local agency initiatives. Consultant time is being devoted specifically to conducting such coordination with other programs.

**IV.f. Monitoring and Data Evaluation.**

The Initiative is currently gathering existing data for the basin. Once data gaps are identified, the Initiative plans to conduct two distinct monitoring programs. The first will assemble data needed to complete the Assessment and Watershed Report. The second program will be for long-term monitoring identified from our assessment work and the Watershed Report. A Technical Advisory Committee made up of scientific experts is being convened to review our monitoring and data evaluation procedures. Biological, ecological and chemical monitoring will take place. Specific locations and constituents to monitor for will be determined based on the results of the Assessment. Monitoring programs will be modified periodically as the Watershed Report and Plan are updated. Data will be made available to the public in electronic and written formats.

**IV. g. Implementability.**

**Compliance with laws and regulations:** Although several regulatory actions and permits are being negotiated through the Initiative, new compliance issues are not expected to arise as a result of this project. A regulatory analysis will be conducted during the implementation of the Watershed Plan to ensure compliance with laws relevant to restoration activities.

**Coordination with other Programs:** Coordination is an element of the workplan for the Assessment. There is active coordination with the FAHCE and other programs.

**Local Support:** Local support has been demonstrated by the active participation of local governments, State and federal agencies, environmental groups and industry. Formal Council and Board approvals of participation and funding have been made by the major cities (San Jose, Sunnyvale, Palo Alto) and the Santa Clara Valley Water District. A "Signatory Document" outlining commitments to the Initiative process will be made public in September. A Public Outreach Subgroup is developing an outreach plan to obtain additional support for the Initiative and its activities.

## V. Costs and Schedule to Implement the Proposed Project

### a. Budget Costs

| Project Phase & Task                                 | Direct Labor Hours     | Direct Salary & Benefits | Overhead Labor | Service Contracts | Materials & Acquisition Contracts | Misc. & Other Direct Costs | Total Cost      |                  |
|--|------------------------|--------------------------|----------------|-------------------|-----------------------------------|----------------------------|-----------------|------------------|
|  |                        |                          |                |                   |                                   |                            | WMI             | CALFED           |
| <b>Task I. Stakeholder Involvement</b>               |                        |                          |                |                   |                                   |                            |                 |                  |
| Program Manager                                      | 1,664 hrs over 2 years | \$8,240                  | 17,710         |                   |                                   |                            |                 | 75,950           |
| Prog Mgmt & Admin (materials, printing, phone, etc.) |                        |                          |                |                   |                                   | 5,000                      | 5,000           |                  |
| Report Prep Team Involvement and Coordination        | 1,500                  | 35,000                   |                |                   |                                   |                            | 52,500          |                  |
| <b>Task II. Id Data Gaps/Field Sampling</b>          |                        |                          |                |                   |                                   |                            |                 |                  |
| Subtask A. Data Gaps                                 |                        |                          |                | 15,000            |                                   |                            |                 | 15,000           |
| Subtask B. Sampling Plan                             |                        |                          |                | 10,000            |                                   |                            |                 | 10,000           |
| Subtask C. Sampling                                  |                        |                          |                | 75,000            |                                   |                            | share tbd       | 75,000           |
| <b>Task III. Report Elements</b>                     |                        |                          |                |                   |                                   |                            |                 |                  |
| Subtask A. Plan Report                               |                        | 12,000                   |                | 10,000            |                                   |                            | 12,000          | 10,000           |
| Subtask B. Write Draft                               |                        | 20,000                   |                | 75,000            |                                   |                            | 20,000          | 75,000           |
| Subtask C. Final Report                              |                        |                          |                | 10,000            |                                   |                            |                 | 10,000           |
| Subtask D. Ed/Outreach                               |                        | 10,000                   |                | 30,000            |                                   |                            | 10,000          | 30,000           |
| <b>TOTAL</b>   |                        |                          |                |                   |                                   |                            | <b>\$99,500</b> | <b>\$380,950</b> |

### b. Schedule Milestones

**Task I. Ensure Stakeholder Involvement And Education Throughout The Life Of The Process**

**Subtask A. Administrative Support/Outreach for Core Group and Subgroups**

*Schedule:* Meeting Organization and distribution of materials Ongoing  
Preparation of quarterly/final reports Quarterly/yearly

**Task II. Identify And Address Crucial Data Gaps And Initiate A Field Sampling Program**

**Subtask A. Identify data gaps from the Assessment of existing data**

Identify data gaps 3/99-4/99  
Develop recommended sampling program 4/99-5/99  
Present recommendation to Core Group 5/99-6/99



**Subtask B. Developing a Field Sampling Plan**

|                             |      |
|-----------------------------|------|
| Develop field sampling plan | 7/99 |
| TAC Review                  | 8/99 |
| Core Group Review           | 9/99 |

**Subtask C. Initiate a field sampling program to fill data gaps**

|                   |           |
|-------------------|-----------|
| Develop contracts | 5/99-9/99 |
| Conduct Sampling  | 9/99-8/00 |

**Task III. Develop Cold Water Fisheries and Water Quality Elements of the Watershed Report.**

**Subtask A. Plan the Report**

|                             |           |
|-----------------------------|-----------|
| Prepare Workplan            | 7/99-9/99 |
| Prepare Outline             | 8/99-9/99 |
| Prepare communications Plan | 7/99-9/99 |

**Subtask B. Compile Data and Develop Alternatives**

|                                       |           |
|---------------------------------------|-----------|
| Compile Data and Develop Alternatives | 8/99-7/00 |
|---------------------------------------|-----------|

**Subtask C. Report Production**

7/00-9/00

**Subtask D. Conduct Stakeholder Education and Outreach for the Watershed Report**

|                                   |            |
|-----------------------------------|------------|
| Education and Outreach Activities | 7/99-11/00 |
|-----------------------------------|------------|

**c. Third Party Impacts.**

Third party impacts are not anticipated during the planning stages of the project. Third party impacts will be analyzed when management alternatives are developed. Diverse stakeholder participation will help reduce the potential for third party impacts.

**VI. Applicant Qualifications**

**City of San Jose.** The City of San Jose - Environmental Services Department, is well known for its environmental programs and is well qualified to coordinate the preparation of this Assessment. The City of San Jose - Environmental Services Department is submitting this grant proposal on behalf of the Santa Clara Basin Watershed Management Initiative. As a local agency, and as a key stakeholder in the Initiative, the City, along with other participants of the Initiative, has developed numerous partnerships with various agencies, business and environmental organizations, and has a solid reputation for providing planning, coordination and technical assistance within the targeted watershed basin area.

**Santa Clara Basin Watershed Management Initiative.** The "watershed management" approach used by the Initiative derives its strength through developing partnerships. The Initiative is made up of diverse interests, including but not limited to local government, the Santa Clara Valley Water District, business and industry, land development, environmental organizations, agriculture, and state and federal resource and regulatory agencies. (Attachment B) These diverse interests met early on in the planning process to jointly identify problems and create a plan for protection of their watershed. They are now attending monthly Core Group meetings, as well as a variety of subgroups to work on specific topics. With this active stakeholder participation, the prospects for comprehensive and effective watershed management are excellent.

**Initiative Organization.** The Initiative is made up of a Core Group of stakeholders, a Program Manager, Report Preparation Team (RPT), and ten issue-specific working groups. Initiative participants have provided technical and administrative staff to support the Program Manager and each

of the teams. The Program Manager and RPT manage the schedule and major work products for the Initiative. The RPT is made up of consultants and project managers from participating agencies. The Program Manager has worked for the State Water Resources Control Board, California Coastal Commission and Department of Water Resources on the Statewide Watershed Management Initiative, and several local watershed initiatives. The Initiative Program Manager and RPT will work closely with the City of San Jose to ensure successful completion of the project.

#### **VII. Compliance with standard terms and conditions**

All required forms applicable to this proposal are attached. The terms and conditions for funding for this proposal are agreeable. No exceptions to the proposed terms and conditions for funding for this project have been identified. The required form DI-2010, regarding terms and conditions for Federal funding is attached.

Attachment A

**Priority Species Distribution in the Santa Clara Basin**

Scientists have characterized streams tributary to the San Francisco Bay as an extension of the Central Valley subsystem of the Sacramento-San Joaquin River Drainage because of the similarity of fish species. The primary difference is the fact that Bay Area streams flow directly into the saline waters of the bay, preventing movement of purely freshwater species between streams. (USACOE 1997) However, this explains the similarity between anadromous species in the overall Bay-Delta system. Both past and recent studies have identified the existence of several Bay-Delta priority fish species within the Santa Clara Basin watershed. The following is a preliminary look at the available data on these species.

Steelhead

Historical studies show that steelhead were once common in Bay Area streams, but urbanization and its resulting impacts to riparian habitat has contributed to the extinction of some runs and drastic reductions in others. (USACOE 1997) More recent studies show that although populations have decreased, steelhead are still found in many South Bay Creeks. Steelhead trout runs are presently documented in Alameda, Penitencia, Lower Coyote, Permanente, San Francisquito, and Stevens Creeks, and the Guadalupe River. (Leidy 1984, Leidy 1997, USEPA 1997, USACOE 1997) Steelhead "landlocked" by dams are found in southern reservoirs such as San Antonio and Coyote. These fish continue to migrate out of the reservoirs and spawn in tributary streams. In general, "...steelhead adults and juveniles may be found foraging in and migrating through, estuarine subtidal and riverine tidal habitats within all areas of the estuary" (USEPA 1997).

Salmon

Although highly modified, the Guadalupe River provides habitat for chinook salmon, as well as steelhead. Chinook Salmon are known to migrate up the Guadalupe River and to a lesser extent, Los Gatos Creek, to spawn (USACOE 1997; Leidy, Pers. Com.). Several impediments along the Guadalupe River have been identified, but a more thorough assessment needs to be performed to determine the extent of habitat impairment. An initial assessment shows that this habitat could be improved by increasing riparian vegetation and removing obstructions. Introduced species have been identified as another major impact to local fish (USACOE 1997). Recent sampling by the California Department of Fish and Game (CDFG) has also found chinook salmon south of the Dumbarton Bridge, within the South San Francisco Bay, as further evidence of migration patterns from South Bay Streams to the ocean (Hieb 1997).

Longfin Smelt

CDFG recently collected samples of longfin smelt at their sampling stations both north and south of the Dumbarton Bridge in the South San Francisco Bay (Hieb 1997). This species is not

Attachment A, page 2

known to exist in any South Bay tributaries, but may be impacted by toxics and other water quality problems associated with migrating through the South Bay.

**Splittail**

There are several historical accounts of splittail existence in Coyote Creek, however this species has not been collected in the drainage since the early part of the century (Leidy, 1984). Scientists believe conditions are suitable to successfully reestablish populations in the lower Coyote Creek area (Leidy, pers comm, 1997). This notion, as well as other population improvement projects, will be investigated through the Santa Clara Basin Watershed Management Initiative (WMI) Ecosystem and Habitat Assessment. The comprehensive watershed planning approach being used by the WMI, as well as strong stakeholder involvement, will increase the likelihood of success of implementation efforts in this area.

**References Cited**

Hieb, Kathy. Associate Biologist. 1997. California Department of Fish and Game. Raw data and personal communication.

Leidy, Rob. 1984. Distribution and Ecology of Stream Fishes in the San Francisco Bay Drainage. Hilgardia, V 52, No. 8.

Leidy, Rob. United States Environmental Protection Agency. "Raw data for the update of Distribution and Ecology of Stream Fishes in the San Francisco Bay Drainage" and personal communication.

McEwan, D. And T.A. Jackson. 1996. Steelhead Restoration and Management Plan for California. California Department of Fish and Game, Inland Fisheries Division, Sacramento, CA.

U.S. Army Corps of Engineers and the Santa Clara Valley Water District. January 1997. Draft Environmental Impact Report/Environmental Impact Statement for the Upper Guadalupe River Flood Control Project. Vol. I.

United States Environmental Protection Agency. 1997. Correspondence to National Marine Fisheries Service. Subject: Steelhead in San Francisco Estuary Streams.

Attachment B

SANTA CLARA BASIN WMI COOPERATING AGENCIES

| Agency Name  | Contact Person                     | Phone                        |
|--|------------------------------------|------------------------------|
| San Jose/Santa Clara POTW  | Mary Ellen Dick, Dan Bruinsma      | 408-945-3070<br>408-277-5533 |
| Palo Alto POTW   | Phil Bobel                         | 415-329-2285                 |
| Sunnyvale POTW   | Helen Farnham                      | 408-730-7272                 |
| Santa Clara Valley Water District  | Jim Fiedler, Beau Goldie           | 408-265-2607                 |
| San Jose Chamber of Commerce   | Jim Tucker                         | 408-291-5262                 |
| Santa Clara Valley Manufacturers Group                                       | Chris Elias                        | 408-496-6801                 |
| California Restaurant Association  | Craig Stone                        | 408-263-2612                 |
| Streams for Tomorrow   | Keith Anderson                     | 408-683-4330                 |
| West Valley Clean Water Program  | Kelly Carrol                       | 408-354-4734                 |
| Toxics Coalition   | Lori Cuesta, Michael Stanley-Jones | 408-287-6707                 |
| Home Builders Association  | Mark Lazzarini                     | 408-977-1490                 |
| Department of Fish and Game  | Deborah Johnston                   | 408-649-7141                 |
| League of Women Voters   | Ann Coombs                         | 415-941-2684                 |
| San Francisco Estuary Institute  | Michael Rigney                     | 510-231-9540                 |
| Santa Clara Valley Audubon Society   | Craig Breon                        | 408-252-3748                 |
| CLEAN South Bay  | Trish Mulvey                       | 415-326-0252                 |
| Regional Water Quality Control Board   | Tom Mumley                         | 510-286-0962                 |
| Santa Clara Valley Transportation Authority                                  | Ray Hybarger                       | 408-321-5834                 |
| Intel  | Stephanie Rhine                    | 408-765-3241                 |
| Santa Clara County - Environmental Resources Agency                          | Amy Tibbs                          | 408-299-2521                 |
| Santa Clara County Urban Runoff Pollution Prevention Program                 | Adam Olivieri                      | 510-832-2852 x115            |
| Santa Clara Cattlemen's Association  | Mike Miller                        | 408-274-2359                 |
| USDA Natural Resources Conservation District                                 | Jeff Rodriguez                     | 408-636-7643                 |
| Guadalupe-Coyote Resource Conservation District                              | Nancy Bernardi                     | 408-288-5888                 |
| Santa Clara County Farm Bureau   | Nancy Richardson                   | 408-776-1684                 |
| U.S. EPA - Region 9  | Luisa Valiela                      | 415-744-1991                 |
| Acting Facilitator<br>(City of San Jose - Environmental Services Department) | Mary Tucker                        | 408-277-2993                 |

## SANTA CLARA BASIN WATERSHED MANAGEMENT INITIATIVE

### MISSION AND GOALS

Mission of the Santa Clara Basin Watershed Management Initiative:

*Protect and enhance the Watershed, creating a sustainable future for the community and the environment.*

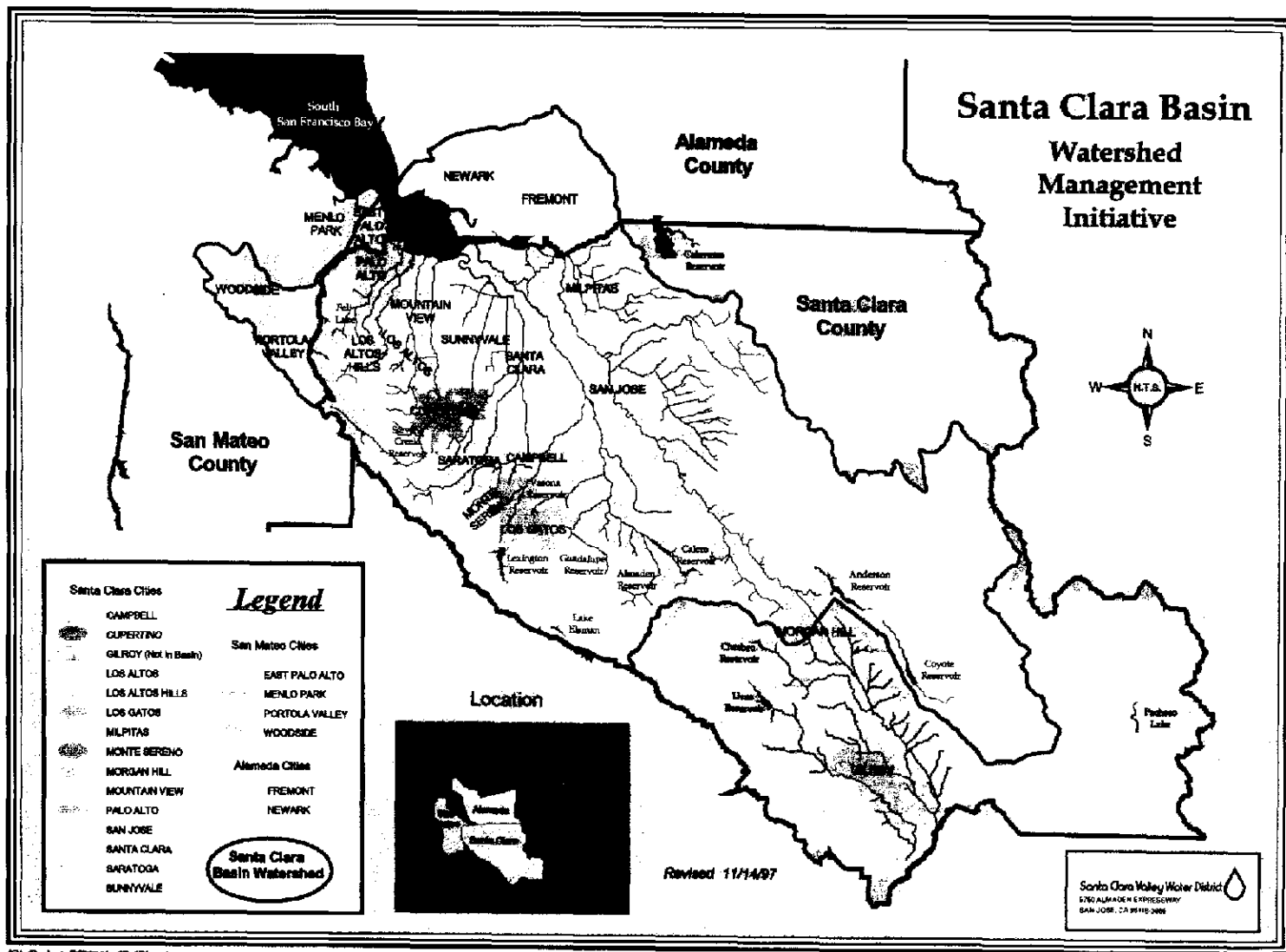
#### GOALS:

1. Ensure that the Watershed Management Initiative is a broad, consensus-based process.
2. Ensure that necessary resources are provided for the implementation of the Watershed Management Initiative.
3. Simplify compliance with regulatory requirements without compromising environmental protection.
4. Balance the objectives of water supply management, habitat protection, flood management and land use to protect and enhance water quality.
5. Protect and/or restore streams, reservoirs, wetlands and the bay for the benefit of fish, wildlife and human uses.
6. Develop an implementable Watershed Management Plan that incorporates science and is continuously improved.

Attachment D

Current Subgroups of the Santa Clara Basin Watershed Management Initiative include the following:

| SUBGROUP                    | MISSION & WORK STATEMENT  |
|-----------------------------|---|
| Planning and Resources      | <ul style="list-style-type: none"> <li>• Ensure that the Initiative has a comprehensive, overall work plan and the resources to implement the plan.</li> <li>• Research, Identify and Develop resources (both personnel and monetary) for the Watershed Initiative.</li> </ul>  |
| Bay Modeling and Monitoring | <ul style="list-style-type: none"> <li>• Provide technically sound tools to investigate and evaluate the potential water quality impacts of various south bay water quality management options;</li> <li>• Develop technically supportable permit limits (concentration &amp; mass);</li> <li>• Develop the technical support for attainable water quality objectives including expected attainment dates;</li> <li>• Develop a technically supportable first phase Total Maximum Daily Loading along with a plan to refine the estimates.</li> </ul> |
| Watershed Assessment        | <ul style="list-style-type: none"> <li>• Provide a solid scientific foundation for watershed planning and land use decisions.</li> <li>• Identify existing data resources, assemble available data, evaluate the quality of existing data, identify data gaps, develop and implement strategies for data acquisition and management and implement data interpretations which will lead to effective planning decisions.</li> </ul>  |
| Data Management             | <ul style="list-style-type: none"> <li>• Provide the Watershed Management Initiative Stakeholders with accurate and reliable data in a timely and cost-effective manner on an on-going basis.</li> </ul>  |
| Land Use                    | <ul style="list-style-type: none"> <li>• Identify and address land use planning interests and issues that need to be considered within the watershed plan.</li> </ul>   |
| Flood Management            | <ul style="list-style-type: none"> <li>• Identify and integrate flood management issues as a part of the watershed planning process.</li> </ul>   |
| Communication & Outreach    | <ul style="list-style-type: none"> <li>• Ensure effective communication across all stakeholders, core group, subgroups and key decision-makers.</li> <li>• Identify, coordinate and initiate effective outreach programs.</li> <li>• Create and disseminate public outreach materials for the Watershed Initiative.</li> </ul>  |
| Report Preparation Team     | <ul style="list-style-type: none"> <li>• Plan and develop the State of the Watershed Report.</li> </ul>   |





## U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and  
Other Responsibility Matters, Drug-Free Workplace  
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions -** The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used or use this form for certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions -** (See Appendix B of Subpart D of 43 CFR Part 12.)

**Certification Regarding Drug-Free Workplace Requirements -** Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

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**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions**

---

*CHECK ☒ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.*

---

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

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*CHECK ☐ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.*

---

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

DI-2010  
June 1996  
(This form replaces DI-1983, DI-1984,  
DI-1986, DI-1988 and DI-1997)

**PART C: Certification Regarding Drug-Free Workplace Requirements**

**CHECK ☒ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL**

**Alternate I. (Grantees Other Than Individuals)**

**A. The grantee certifies that it will or continue to provide a drug-free workplace by:**

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about—
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will —
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted —
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

**B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:**

**Place of Performance (Street address, city, county, state, zip code)**

777 N. First Street, Suite 450, San Jose, CA 95112

Check ☐ if there are workplaces on file that are not identified here.

**PART D: Certification Regarding Drug-Free Workplace Requirements**

**CHECK ☐ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.**

**Alternate II. (Grantees Who Are Individuals)**

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

DL-2010  
June 1995  
(This form replaces DL-1953, DL-1954,  
DL-1955, DL-1966 and DL-1982)

**Figure 1**  
**Standard Form 424**

**APPLICATION FOR  
FEDERAL ASSISTANCE**

OMB Approval No. 0348-0043

|   |    |  |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
|---|----|--|------------------------------------|---------|-----|--------------|----|--|-----|----------|----|--|-----|----------|----|--------|-----|----------|----|--|-----|-------------------|----|--|-----|----------|----|---------|-----|---|--|
| <b>1. TYPE OF SUBMISSION:</b><br>Application <input type="checkbox"/> Preapplication <input type="checkbox"/><br>Construction <input type="checkbox"/> Construction <input type="checkbox"/><br>Non-Construction <input type="checkbox"/> Non-Construction <input type="checkbox"/>   |    | <b>2. DATE SUBMITTED</b> 7-1-98  | <b>Applicant Identifier</b><br>N/A |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>3. DATE RECEIVED BY STATE</b><br>N/A   |    | <b>State Application Identifier</b><br>N/A   |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>4. DATE RECEIVED BY FEDERAL AGENCY</b>   |    | <b>Federal Identifier</b>  |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>5. APPLICANT INFORMATION</b>   |    |  |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>Legal Name:</b> City of San Jose<br><br><b>Address (give city, county, state, and zip code):</b><br>777 N. First Street, Suite 450<br>San Jose, CA 95112   |    | <b>Organizational Unit:</b> Environmental Services Dept.<br><br><b>Name and telephone number of person to be contacted on matters involving this application (give area code):</b><br>Carl W. Mosher    408-277-5533   |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b><br><div style="border: 1px solid black; padding: 2px; display: inline-block;">           96 - 600419         </div>   |    | <b>7. TYPE OF APPLICANT: (enter appropriate letter in box)</b> <span style="border: 1px solid black; padding: 2px;">C</span>   |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>8. TYPE OF APPLICATION:</b><br><div style="display: flex; justify-content: space-around;"> <span><input checked="" type="checkbox"/> New</span> <span><input type="checkbox"/> Continuation</span> <span><input type="checkbox"/> Revision</span> </div><br>If Revision, enter appropriate letter(s) in box(es): <span style="border: 1px solid black; padding: 2px;"> </span> <span style="border: 1px solid black; padding: 2px;"> </span><br><br><div style="display: flex; justify-content: space-around; font-size: small;"> <span>A. Increase Award</span> <span>B. Decrease Award</span> <span>C. Increase Duration</span> <span>D. Decrease Duration</span> <span>Other (specify):</span> </div>   |    | <div style="font-size: small;">           A. State                      H. Independent School Dist.<br/>           B. County                I. State Controlled Institution of Higher Learning<br/>           C. Municipal            J. Private University<br/>           D. Township            K. Indian Tribe<br/>           E. Interstate            L. Individual<br/>           F. Intra-municipal      M. Profit Organization<br/>           G. Special District     N. Other (Specify):         </div><br>Dept. of Interior |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b><br><br><div style="border: 1px solid black; padding: 2px; display: inline-block;">           TITLE:    N/A         </div>   |    | <b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b><br><i>Development of a Cold Water Fisheries and Water Quality Element for the State of the Santa Clara River Watershed Report.</i>  |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b><br>City of San Jose, Santa Clara County, CA  |    | <b>9. NAME OF FEDERAL AGENCY:</b>  |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>13. PROPOSED PROJECT</b><br>Start Date    Ending Date  |    | <b>14. CONGRESSIONAL DISTRICTS OF:</b><br>a. Applicant    b. Project   |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>15. ESTIMATED FUNDING:</b> <table border="1" style="width:100%; border-collapse: collapse; font-size: small;"> <tr> <td style="width:20%;">a. Federal</td> <td style="width:10%;">\$</td> <td style="width:40%; text-align: center;">300,950</td> <td style="width:10%;">.00</td> </tr> <tr> <td>b. Applicant</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>c. State</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>d. Local</td> <td>\$</td> <td style="text-align: center;">82,000</td> <td>.00</td> </tr> <tr> <td>e. Other</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>f. Program Income</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>g. TOTAL</td> <td>\$</td> <td style="text-align: center;">382,950</td> <td>.00</td> </tr> </table> |    | a. Federal   | \$                                 | 300,950 | .00 | b. Applicant | \$ |  | .00 | c. State | \$ |  | .00 | d. Local | \$ | 82,000 | .00 | e. Other | \$ |  | .00 | f. Program Income | \$ |  | .00 | g. TOTAL | \$ | 382,950 | .00 | <b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b><br><br>a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:<br><br>DATE _____<br><br>b. NO. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372<br><input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW |  |
| a. Federal  | \$ | 300,950  | .00                                |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| b. Applicant  | \$ |  | .00                                |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| c. State  | \$ |  | .00                                |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| d. Local  | \$ | 82,000   | .00                                |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| e. Other  | \$ |  | .00                                |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| f. Program Income   | \$ |  | .00                                |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| g. TOTAL  | \$ | 382,950  | .00                                |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b><br><input type="checkbox"/> Yes    If "Yes," attach an explanation <input checked="" type="checkbox"/> No   |    | <b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>   |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>a. Type Name of Authorized Representative</b><br>Carl W. Mosher  |    | <b>b. Title</b><br>Director, Env. Services Dept.   |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>c. Telephone Number</b><br>408-277-5533  |    | <b>d. Signature of Authorized Representative</b><br>   |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |
| <b>e. Date Signed</b><br>1 JUL 98   |    |  |                                    |         |     |              |    |  |     |          |    |  |     |          |    |        |     |          |    |  |     |                   |    |  |     |          |    |         |     |   |  |

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Standard Form 424 (REV. 4-82)  
Prescribed by OMB Circular A-102

**PART E: Certification Regarding Lobbying**  
**Certification for Contracts, Grants, Loans, and Cooperative Agreements**

*CHECK IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND  
THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT;  
SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.*

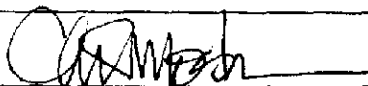
*CHECK ☒ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL  
LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR  
SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.*

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.



SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Carl Mosher, Director, Environmental Services Department, City of San Jose

TYPED NAME AND TITLE

DATE

DI-2010  
June 1998  
[This form replaces DI-1962, DI-1964,  
DI-1965, DI-1966 and DI-1967]